

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9373 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH Sd/-

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

1 to 5 - No

PRATAPRAI RATILAL HAKANI

Versus

STATE OF GUJARAT

Appearance:

MR BM MANGUKIYA for Petitioners

MR MUKESH PATEL, AGP for Respondents

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 21/12/98

ORAL JUDGEMENT

Rule. Service of Rule is waived by Mr Mukesh Patel, learned AGP for the respondents.

Heard. The order impugned in this petition is Annexure "G" dated 8.9.1998. The said order has been rendered by the learned Collector in the proceedings under Section 65 of the Bombay Land Revenue Code. It is

obvious that the remedy of the petitioners is by way of a revision under Section 211 of the Bombay Land Revenue Code. The only grievance which Mr Mangukia makes before this Court is that such proceedings as and when taken may be expeditiously dealt with and decided. Having heard the learned advocate for the petitioners and learned AGP, it would be just and proper to issue following direction:-

"The petitioners will file appropriate revision application against the impugned order within one week from today. The revisional authority will hear the petitioners and decide such revision application in accordance with law as expeditiously as possible, preferably within two months from the date of receipt of such revision application."

It is made clear that this Court has not gone into the merits of any of the contentions of the petitioners in this petition and it would be open to the petitioners to take all these contentions before the revisional authority.

Subject to the above direction, Rule is discharged. No order as to costs.

Direct Service is permitted.

Sd/-

December 21, 1998 (M.S. Parikh,J.)